

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:22CR71
)	
vs.)	
)	
ROBERT L. CARODINE and)	ORDER
JAMES T. SMITH,)	
)	
Defendants.)	

This matter is before the Court on the defendant, James T. Smith's unopposed Motion to Continue Trial [112] and defendant, Robert L. Carodine's Motion to Continue [115]. After review and for the reasons stated in the motions, the undersigned magistrate judge finds good cause to continue the scheduled trial. Accordingly,

IT IS ORDERED that the Motions to Continue Trial [112], [115] are granted, as follows:

1. The jury trial, **for both defendants**, now set for August 21, 2023, is continued to **October 23, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 23, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would result in a miscarriage of justice, would deny the defendant reasonable time to obtain counsel, or would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(i), (iv).

DATED: August 11, 2023.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge